

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

**Plaintiff**

**v.**

10,789 PIECES OF PRIZED PR TRADITIONAL  
LOTTERY TICKETS, WITH AN  
APPROXIMATE VALUE OF \$27,952.00 AND  
\$18,000.00 IN US CURRENCY,

**Defendant.**

CIVIL NO. 15-

**VERIFIED COMPLAINT FOR FORFEITURE IN REM**

TO THE HONORABLE COURT:

COMES NOW, plaintiff, the United States of America, by and through its undersigned attorneys, Rosa Emilia Rodríguez-Vélez, United States Attorney for the District of Puerto Rico; Myriam Y. Fernández-González, Assistant United States Attorney, Deputy Chief, Narcotics Unit and Eugenio A. Lomba-Ortiz, Special Assistant United States Attorney, brings this complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure.

**NATURE OF THE ACTION**

1. This is a civil action in rem brought to enforce the provisions of Title 19, United States Code, Sections 1595a(a) and 1305.

**DEFENDANT IN REM**

2. The defendant property seized by an officer of the United States Immigration and Customs Enforcement ("ICE"), consists of: 10,789 PIECES OF PRIZED PR

TRADITIONAL LOTTERY TICKETS, WITH AN APPROXIMATE VALUE OF \$27,952.00 AND \$18,000 IN US CURRENCY.

#### JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction over an action commenced by the United States pursuant to Title 28 United States Code, Section 1345; over an action for forfeiture pursuant to Title 28, United States Code, Section 1355; and over this particular action pursuant to Title 19, United States Code, Sections 1595a(a) and 1305.
4. This Court has in rem jurisdiction over the defendant property pursuant to Title 28, United States Code, Section 1355(b)(1)(A) (acts and omissions giving rise to the forfeiture occurred in this district) and Section 1355(b)(1)(B) (the defendant property is found in this district).
5. Venue is proper in this district pursuant to Title 28, United States Code, Section 1355(b)(1)(A) (acts and omissions giving rise to the forfeiture occurred in this district) and Section 1395 (the defendant property is found in this district).

#### BASIS FOR FORFEITURE

6. This is a civil action in rem brought to enforce the provisions of Title 19, United States Code, Sections 1595a(a) (Importation, removal, etc. contrary to laws of United States: Except as specified in subsection (b) or (c) of section 1594 of this title, every vessel, vehicle, animal, aircraft, or other thing used in, to aid in, or to facilitate, by obtaining information or in any other way, the importation, bringing in, unlading, landing, removal, concealing, harboring, or subsequent transportation of any article which is being or has been introduced, or attempted to be introduced, into the United States contrary to law, whether upon such vessel, vehicle, animal, aircraft, or other thing or otherwise, may be

seized and forfeited together with its tackle, apparel, furniture, harness, or equipment.); and 1305(a) – Prohibition of Importation (“All persons are prohibited from importing into the United States from any foreign country... any lottery ticket, or any printed paper that may be used as a lottery ticket, or any advertisement of any lottery.... No such articles whether imported separately or contained in packages with other goods entitled to entry, shall be admitted to entry... and all such articles ... shall be subject to seizure and forfeiture.”)

#### FACTS

6. The facts and circumstances supporting the seizure and forfeiture of the defendant property are contained in the Title 28, United States Code, Section 1746 unsworn declaration of the Immigration and Customs Enforcement-Homeland Security Investigations (“ICE-HSI”), Special Agent, Luis Velez attached hereto, and incorporated herein as if fully stated.

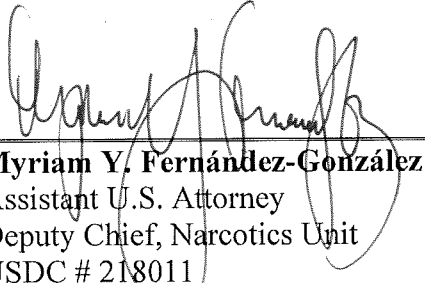
[INTENTIONALLY BLANK]

CLAIM FOR RELIEF

WHEREFORE, the United States of America prays that a warrant of arrest for the defendant property be issued; that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that judgment be entered declaring the defendant property condemned and forfeited to the United States of America for disposition according to law; and that the United States of America be granted such other and further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

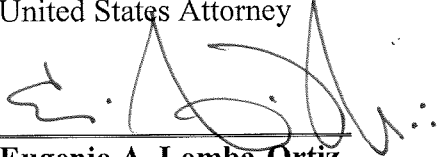
RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico, this 20<sup>th</sup> day of August, 2015.



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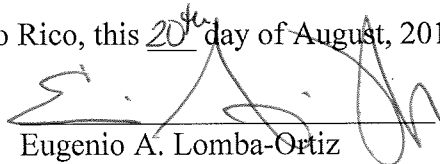
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VERIFIED DECLARATION

I, Eugenio A. Lomba-Ortiz, Special Assistant U.S. Attorney, for the District of Puerto Rico, declare under penalty of perjury as provided by Title 28, United States Code, Section 1746, the following:

That the foregoing Complaint is based on reports and information furnished to me by the ICE-HSI; that everything contained therein is true and correct to the best of my knowledge and belief.

Executed in San Juan, Puerto Rico, this 20<sup>th</sup> day of August, 2015.




Eugenio A. Lomba-Ortiz  
Special Assistant U.S. Attorney

VERIFIED DECLARATION

I, Luis Velez, Special Agent, ICE-HSI, declare as provided by Title 28, United States Code, Section 1746, the following:

I have read the contents of the foregoing Complaint for Forfeiture in Rem and the attached unsworn declaration thereto, and I find the same to be true and correct to the best of my knowledge and belief. I declare under penalty of perjury that the foregoing is true and correct.

Executed in San Juan, Puerto Rico, this 20<sup>th</sup> day of August, 2015.



Luis Velez, Special Agent  
Homeland Security Investigations (HSI)  
U.S. Immigration and Customs Enforcement (ICE)  
Department of Homeland Security